

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The Examiner has rejected claims 1-10 under 35 U.S.C. 112 second paragraph. Claim 1 has been amended to overcome this rejection.

The Examiner has rejected claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over German Patent DE 44 16 504 to *Erras et al* hereinafter "*Erras*" In view of *Caprioglio*.

Claims 9-10 and 19-24 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Erras and Caprioglio* in view of Japanese Patent JP 05192774 to *Nishimura* and U.S. Patent Application Publication No. 2001/0045413 to *Suita*.

The applicant respectfully traverses the above rejections and claims 1, 19, and 21 have been amended as well. It is respectfully submitted that the present invention as claimed in claim 1 and in new independent claims 19 and 21 is patentable over the above cited patent to *Erras*, taken singularly or in combination with *Caprioglio*, and also patentable over the combination of *Erras*, *Caprioglio*, and *Nishimura* in further view of *Suita*.

For example, *Erras* does not disclose a guiding groove as claimed in claim 1, 19 or in claim 21, particularly a guiding groove in the form of a recess on a tong arm.

Erras does disclose a recess 7, however, this recess is disposed in the electrode cap, and not in the tong arms.

In addition, as claimed in claim 1, the winding means including the wind up roller and the wind off roller are disposed either on the base body or on the tong arm. This feature is not disclosed in *Erras* or the other cited art either.

In *Erras* the rollers 9a and 9b are fixed, however these rollers are not fixed either to the tong arms or to the base body. Therefore, for this additional reason it is respectfully submitted that claim 1 is patentable over the above identified rejection.

Claims 1, 19 and 21 have been amended to state:

a pressure element arranged in the region of said electrode cap of the at least one electrode;

a spacer coupled to said pressure element, said spacer configured to selectively space said strip from said electrode, wherein said pressure element and said spacer comprise at least one guiding groove for guiding said strip around said at least one electrode.

Support for these features is found in former claim 24. The term “selectively” has also been added because the strip is not spaced from the electrode all the time. Instead, the spacer lifts the strip off of the electrode during or after the opening of the spot welding tongs, whereas the spacer is pushed back during the welding process. None of the above cited documents disclose the claimed features. The Examiner in the latest office action attempts to point to Saito and indicates that FIG. 3A and paragraph 73 disclose these features.

It is respectfully submitted that these features are not shown in Saito. For example, there is not disclosed a pressure element and a spacer having a guiding groove. This is because Saito does not disclose a strip for the protection of electrodes. Because there is no strip, there is no reason for any guiding grooves. Therefore, it is respectfully submitted that the present invention as claimed in claims 1 19, and 21 as amended.

In addition, *Erras* does not show a recess or groove along the tong arms or electrode holder. As stated above, this feature is not shown in *Erras*. One reason that there is no need for a recess or groove along the tong arm or the electrode holder is that the wind up roller and the wind off roller are not coupled to the base body or tong arm. For example, with the rollers 9a and 9b of *Erras* being spaced apart from each other, and apart from the electrode holder, there is no need to form a recess on the tong arm or recess holder for guidance. However, because these rollers are not coupled to the welding device, such as to the base body, these rollers require some form of additional coupling such as to a wall. This then results in a more complicated device

than the present invention. In addition, none of the other cited art disclose this feature as well.

In addition, claims 19 and 21 have been written to state that in contrast to the above cited reference to DE4416504, the present invention has a wind-off roller, and a wind-up roller, or more particularly, the winding mechanism is arranged on and coupled to the base body of the spot welding tong. This feature is also not shown in the above cited patent DE4416504 or the other cited art. Particularly, DE19754546 and the applicant's discussion on page 1, paragraph 3 of the specification, does not disclose a roller or pulley arranged on the electrode shaft which is part of the tong arm. For example in FIG. 1 of DE19754546, the rollers 7 and 8 do not disclose a roller or pulley disposed on the electrode shaft. Therefore, for this additional reason, early allowance of claims 19 and 21 is respectfully requested.

Claims 2-10 depend from claim 1. Since claim 1 is considered to be allowable, it is respectfully submitted that these claims are allowable as well. Therefore, it is respectfully submitted that claims 1-10, 19 and 21 are allowable.

In conclusion, all of the above rejections have been traversed. Claims 1, 19, and 21 have been amended, claims 11-18, and 20 and 24 have been canceled. Claims 1-10, 19, 21-23, 25-27 remain in the application. Support for claims 25-27 is found in the specification on page 6 lines 14-19. No new matter has been added.

Therefore early allowance of the remaining claims is respectfully requested.

Respectfully submitted,

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